

Acquisition and Property Division Policy Memorandum

Subject: Energy Initiatives		Number: 23-02A	
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Background: Over the past 11 years, the President has signed several executive orders that promote and mandate the Greening of the Federal Government. That is, the Government will commit to protecting the environment through energy efficiency, recycling, pollution prevention, and affirmative procurement. These executive orders are far reaching, and affect all Federal Government agencies. In the past 2 years, Executive Order 13221 was signed which addressed energy efficient standby power devices.

The purpose of this Policy Memorandum is to outline each executive order as it pertains to procurement and to provide the action needed to be taken by procurement personnel.

Policy Guidance:

- E.O. 13101 "Greening the Government through Waste Prevention Recycling, and Federal Acquisition" - September 14, 1998
- E.O. 13123 "Greening the Government through Efficient Energy Management" - June 3, 1999
- E.O. 13134 "Developing and Promoting Biobased Products and Bioenergy" - August 12, 1999
- E.O. 13148 "Greening the Government through Leadership in Environmental Management" - April 21, 2000
- E.O. 13149 "Greening the Government through Federal Fleet and Transportation Efficiency" - April 21, 2000
- E.O. 13221 "Energy Efficient Standby Power Devices" – July 31, 2001

Enclosure A

Item	Objectives	Responsibility of Procurement Personnel	Responsibility of Program Personnel
Implementation of Greening Executive Orders	<p>To comply with the Greening Executive Orders discussed herein and to meet objectives of Section 6002 of the Resource Conservation and Recovery Act (RCRA, 42 USC 6962) of 1976.</p> <p>Meet reporting requirements for the Annual Energy Report.</p>	<p>Complete the ARS Affirmative Procurement Program presentation (on Acquisition and Property Division homepage). Become familiar with all of the Greening Executive Orders and their application to procurement and purchasing.</p> <p>Track the purchase of environmentally preferable products for annual reporting.</p>	<p>Become familiar with the Greening Executive Orders, the Environmental Protection Agency's (EPA) list of designated products and recycled content recommendations.</p> <p>Use products that are energy efficient, biobased and environmentally preferable and have recycled content.</p> <p>Track the purchase of environmentally preferable products for annual reporting.</p>

<p>E.O. 13101</p> <p>Greening the Government through Waste Prevention Recycling, and Federal Acquisition</p>	<p>Waste prevention, recycle and reuse in the daily operations within the Federal Government. Implement cost-effective procurement programs favoring the purchase of environmentally preferable products and services.</p>	<p>Procurement personnel and purchase cardholders promote the purchase of environmentally preferable products and services including recycled products.</p> <p>Local Agency Program Coordinators should ensure current and new cardholders are aware of waste prevention recycling initiatives.</p> <p>Use acquisition strategies to promote the use of the Department of Energy (DOE) environmentally preferable and EPA recycled products. Acquire products that meet reasonable performance requirements and are composed of the highest percentage of recovered materials practicable. Ensure that 100 percent of EPA-designated purchases are products that contain recovered material unless the product cannot be acquired in accordance with FAR 23.404 (b). Otherwise provide justification in accordance with FAR 23.405 (c).</p> <p>Ensure that solicitations/contracts contain provisions for the contractors to promote and implement cost-effective waste reduction programs, and use recycled products.</p>	<p>Purchase recycled products from the EPA's list of designated products related to construction, landscaping, paper and non-paper (office), parks and recreation, transportation, vehicles, and other miscellaneous supplies. A list of products/suppliers are designated at (www.epa.gov/cpg/).</p> <p>Maximize the use of environmentally preferable products and services in acquisitions. Develop plans, drawings, work statements, specifications or product descriptions that do not require virgin materials. Include provisions that require contractors to establish a waste reduction program in all operations and facilities under contract.</p> <p>Require the use of recovered materials and recycled products in specifications. In work statements require supplies to contain recovered and recycled materials, as appropriate.</p> <p>Consider life cycle cost, recyclability, and ultimate disposal in purchase decisions. Promote cost-effective waste reduction in government-owned or leased facilities.</p> <p>Track and report purchases of environmentally preferable products.</p>
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<p>E.O. 13123</p> <p>Greening the Government through Efficient Energy Management</p>	<p>Reduce federal facility energy usage by 30 percent by 2010 as compared to 1990 levels.</p> <p>Reduce greenhouse gas emissions by 30 percent as compared to 1990 levels.</p> <p>Reduce energy consumption per square foot of facilities by 30 percent by 2005 and 35 percent by 2010 as compared with 1985.</p> <p>Expand the use of renewable energy within facilities and operations.</p> <p>Reduce facility use of petroleum products.</p> <p>Reduce total energy use, greenhouse gases, and other air emissions.</p> <p>Reduce water consumption and associated energy use.</p>	<p>Promote Energy Savings Performance Contracts (ESPC) and Utility Energy Efficiency Service Contracts (UESC) to reduce energy use and costs.</p> <p>When contracting for services that include energy-using products or involve design, renovation, construction, or building maintenance, include requirements in the contract for Energy Star® or other energy efficient products and requirements for low standby power wattage.</p> <p>Include environmental requirements in acquisition decisions (i.e., specifications of green products), performance based incentives, and source selection factors which include environmental performance criteria.</p>	<p>Undertake energy efficient projects through ESPC and UESC to reduce energy use/cost and meet Federal energy, water, and emissions-reduction goals.</p> <p>Include requirements for Energy Star® or energy efficient products in specifications and product descriptions.</p> <p>Promote cost effective waste reduction in drawings, specifications, standards and other product descriptions authorizing material substitutions, extension of shelf life and process improvements. Evaluate environmental preferability in purchase decisions; require environmental submittals in response to solicitations.</p> <p>Maximize the use of energy efficient, water conserving and renewable energy products, and eliminate the generation of hazardous waste.</p> <p>Promote cost effective waste production, and consider the use of biobased products.</p> <p>Compile information for annual energy reporting.</p>
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<p>E.O. 13134</p> <p>Developing and Promoting Biobased Products and Bioenergy</p>	<p>Extend federal procurement activities related to biobased products and services that are made from renewable agriculture, animal, or forestry materials, such as vegetable based lubricants, biofuels, compost, and construction materials.</p>	<p>Encourage and promote purchases of biobased, and bioenergy products through the increased use of the DOE and EPA preferred products lists.</p> <p>Add language to solicitations/contracts to encourage the use of biobased and bioenergy products, where appropriate. Encourage the purchase of biobased industrial products, where available, if they meet performance requirements.</p> <p>Employ the Procurement List, once created, to set-aside or establish price preference and/or technical evaluation factors for biobased products to promote the acquisition of biobased and bioenergy products. (See AGAR 426.7 and note at right*)</p>	<p>Purchase biobased and bioenergy products from the DOE and EPA preferred products lists. Many of the recycled products are considered biobased. See also http://www.usda-biobasedproducts.net/public/cataloginfo.cfm</p> <p>*Biobased items have not yet been designated by USDA regulation. E.O. 13134 is being superseded by the Farm Security and Rural Investment Act of 2002 (FSRIA). USDA is the lead agency and is currently drafting standards, guidelines, affirmative procurement policy and program rules. Changes in AGAR 426.7 are also expected. This guidance is expected to be available in the near future.</p>
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<p>E.O. 13148</p> <p>Greening the Government through Leadership in Environmental Management</p>	<p>Reduce releases and off-site transfers of toxic chemicals by 40 percent by 2006.</p> <p>Reduce the use of selected toxic chemicals, hazardous substances and pollutants by 50 percent by 2006.</p> <p>Phase out the procurement of Class I ozone-depleting substances by 2010.</p> <p>Promote sustainable management of facility lands through sound landscaping practices; and promote environmentally benign adhesives.</p>	<p>Toxic Chemicals. Include in solicitations, an award eligibility criterion for the contractor's certification of 52-223-13 if the work is performed on a federal facility (Clause 52.223-5). Require annual toxic chemical release reports (FAR Clause 52-223-14).</p> <p>Pollution Prevention and Right-To-Know Information. Require the contractor to provide information on hazardous chemicals for all contracts performed on a federal facility (FAR Clause 52-223-5).</p> <p>Ozone-Depleting Substances. Require labeling of products containing/made with ozone-depleting substances (halons, chlorofluorocarbons, carbon tetrachloride and methyl chloroform (Class I) or hydro chlorofluorocarbons (Class II) (Clause 52-223-11). Comply with Clean Air Act requirements on maintenance, repair, or disposal of ozone-depleting refrigerants (FAR 52.223-12).</p> <p>Require the use of environmentally preferable and recycled content products or landscaping services employing these products in solicitations/contracts.</p> <p>Require contractors to use/supply paper products using environmentally benign adhesives when technically practicable and cost-effective (USPS Qualified Products List).</p>	<p>Prepare specifications and purchase descriptions to minimize the use and procurement of ozone-depleting materials and substances.</p> <p>Give preference to alternative chemicals, products, and manufacturing processes that reduce overall risk to human health and the environment by lessening the depletion of ozone in the upper atmosphere.</p> <p>Identify opportunities to eliminate/reduce the use of toxic chemicals, hazardous substances, and other pollutants.</p> <p>Prepare work statements, specifications, and purchase descriptions that require only environmentally preferable and recycled content products (EPA-designated items) or landscaping services that uses these products.</p> <p>Purchase paper products using these adhesives when technically practicable and cost effective (USPS Qualified Products List).</p>
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<p>E.O. 13149</p> <p>Greening the Government through Federal Fleet and Transportation Efficiency</p>	<p>Reduce petroleum fuel consumption by 20 percent by the end of 2005 through the purchase of alternative fuel vehicles (AFV), alternative fuels, and environmentally preferred motor vehicle products.</p>	<p>Ensure that goals of E.O. 13149 are incorporated into the contractor's management plan for contracts involving government-owned contractor-operated (GOCO) vehicles. That is, use alternative fuels to meet the majority of the fuel requirements.</p> <p>Increase vehicle load factors, decrease vehicle miles traveled, promote reduced fuel consumption in motor vehicles, and use of alternative fuel and alternative fuels vehicles (AFV).</p> <p>Require contractors to restrict procurements of virgin petroleum motor vehicle lubricating oils when re-refined lubricating oils are reasonably available and meet recommended performance standards.</p> <p>Use the Greening Web sites to obtain re-refined fuels. Use GSA and DOE Web sites for AFV availability and required purchase sites.</p>	<p>Ensure that vehicles provided as government furnished property comply with applicable goals and other requirements of E.O. 13149.</p> <p>Select for purchase, re-refined over virgin vehicle lubricating oils, if it is reasonably available. Implement other measures to reduce petroleum consumption. Procure vehicles with higher fuel economy.</p> <p>Use alternative fuels (i.e., biodiesel, electricity, ethanol, hydrogen, methanol, natural gas, propane, and "P-series" fuels) to meet a majority of the fuel requirements for motor vehicles. Select AFVs for purchase.</p>
<p>E.O. 13221</p> <p>Energy Efficient Standby Power Devices</p>	<p>Encourage energy conservation by the Federal Government</p>	<p>Require contractors to provide commercial off-the-shelf products that use no more than one watt of power in standby mode. If product is unavailable, then purchase products with the lowest standby power wattage while in standby mode.</p>	<p>Purchase commercial off-the-shelf products that use no more than one watt of power in standby mode. If unavailable, purchase products with the lowest standby power wattage while in standby mode.</p>

Enclosure B

GREENING THE GOVERNMENT WEB-SITES

E.O. 13101 "Greening the Government through Waste Prevention Recycling, and Federal Acquisition" - September 14, 1998, <http://ceq.eh.doe.gov/nepa/regs/eos/eo13101.html>

E.O. 13123 "Greening the Government through Efficient Energy Management" - June 3, 1999, <http://ceq.eh.doe.gov/nepa/regs/eos/eo13123.html>

E.O. 13134 "Developing and Promoting Biobased Products and Bioenergy" - August 12, 1999, <http://ceq.eh.doe.gov/nepa/regs/eos/eo13134.html>

E.O. 13148 "Greening the Government through Leadership in Environmental Management" - April 21, 2000, <http://ceq.eh.doe.gov/nepa/regs/eos/eo13148.html>

E.O. 13149 "Greening the Government through Federal Fleet and Transportation Efficiency" - April 21, 2000, <http://ceq.eh.doe.gov/nepa/regs/eos/eo13149.html>

OFEE (Office of the Federal Environmental Executive)
www.ofee.gov

Comprehensive Procurement Guidelines
(Environmental Protection Agency)
<http://www.epa.gov/cpg/products.htm>

EPA/DOE - Energy Star ® Products
<http://www.energystar.gov/>

Defense Logistics Agency Refined Oil Program
<http://www.dscr.dla.mil/products/pol/polintro.htm>

Alternative Fuels Data Center
<http://afdc.doe.gov/>

Department of Energy (DOE) Pollution Prevention Information Clearinghouse
<http://epic.er.doe.gov/epic/>

General Services Administration Regulations, Policies, Product Guides, Articles and Presentations
<http://pub.fss.gsa.gov/enviro>

GREENING THE GOVERNMENT WEB-SITES (continued)

DOE (Department of Energy)
<http://www.eere.energy.gov/>

FEMP (Federal Energy Management Programs)
<http://www.eren.doe.gov/femp/>

ESPC (Energy Savings Performance and Utility Energy Service Contracts)
<http://www.eren.doe.gov/femp/financealt.html>

Green Seal of Approval: products
<http://www.green Seal.org/>

Recycled/recovered materials directories of firms
<http://www.recycle.net>

DOE site developed for the 1999 Pollution Prevention Conference
<http://www.epa.gov/opptintr/epp/>

Energy Efficient Products Buying Information
<http://www.eren.doe.gov/femp/procurement/>

Comprehensive Procurement Guidelines for Recycled Products - www.epa.gov/cpg

USDA Biobased Products - www.biobased.oce.usda.gov/public/index.cfm

Affirmative Procurement Training for Credit Card Holders
www.usda.gov/procurement/toolkit/biobased/index.html

Environmentally Preferable Purchasing - www.epa.gov/oppt/epp

Energy Efficient and Energy Star products - www.eere.energy.gov/femp/procurement

JWOD shopping at www.boiseoffice.com/